

REMARKS/ARGUMENTS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Upon entry of the above amendments, claims 2, 3, 4, 8, 10, 11, 13, 14-19, 22, 25, 26 and 27, as amended, will be pending.

Applicants note with appreciation, that claims 4, 8, 10, 11, 13-23, and 25-27 are allowed and that claim 2 would be allowable if rewritten in independent form.

Accordingly, claim 2 is rewritten in independent form.

Therefore, claims 2, 4, 8, 10, 11, 14-19, 22 and 25-27 are in condition for allowance.

Claim 24 is cancelled, thereby avoiding the indefiniteness rejection applied against this claim. Claims 1 and 5 are cancelled, thereby avoiding the prior art rejections applied against these claims.

Claim 3 is amended to be in independent form (therefore, adding the definition of "M" from claim 1) and to delete "H" from the definition of "Z." Since Z is other than H, the "proviso" clause is also deleted from claim 3. Accordingly, no new matter is added.

Reconsideration and withdrawal of the rejection of claim 3, as amended, as being unpatentable under 35 U.S.C. 103(a), over British Patent 1,359,171 (GB '171), the only remaining ground for rejection, is respectfully requested for at least the following reasons.

With regard to the Examiner's explanation why the compound of Example 5 of GB '151 does include a carboxy group ortho to the azo linkage (middle of page 6 of the Action) Applicants acknowledge the error in the previous response. The arguments were inadvertently presented with respect to the compound no. 5 in the table on page 12, immediately below Example 5.

In any case, amended claim 3 defines Z as either CN or CONH₂. Since the definition of Z no longer includes hydrogen (H), and since there is nothing in the disclosure of GB '171 which would lead the practitioner of ordinary skill in the art to modify the compounds of the reference, including the compound of Example 5, by replacing H with CN or CONH₂, the compounds according to claim 3 would not have been *prima facie* obvious.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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Date: October 28, 2003